



ORRICK, HERRINGTON & SUTCLIFFE LLP
1000 MARSH ROAD
MENLO PARK, CALIFORNIA 94025-1015
tel +1-650-614-7400
fax +1-650-614-7401
WWW.ORRICK.COM

August 27, 2008

Warrington S. Parker III
(415) 773-5740
wparker@orrick.com

VIA AIRMAIL AND E-MAIL ATTACHMENT - ANTON.MAURER@CMS-HS.COM

Dr. Anton Maurer
Rechtsanwalt/Attorney at Law
CMS Hasche Sigle
Schoettlestrasse 8
D-70597 Stuttgart

Re: Facebook, Inc. v. StudiVZ

Dear Dr. Maurer:

We are in receipt of Stephen Smith's August 25, 2008 letter containing the StudiVZ defendants' Waiver Of The Service of Summons. We have filed the waiver with the Court.

In terms of scheduling next steps, there are two things potentially that need to be scheduled. First, in a July 18 letter, Mr. Smith mentioned that your clients may wish to file a motion to dismiss for lack of personal jurisdiction. Is that still your intent? If so, we would like to schedule a time to discuss a plan for discovery related to the challenge of personal jurisdiction. Second, you have mentioned speaking to Mr. Chatterjee about the case. When are you available to do that?

Very truly yours,

Warrington S. Parker III

cc: Neel Chatterjee, Esq.
Julio Avalos, Esq.
Stephen S. Smith, Esq.